

## SENATE JOINT RESOLUTION 16

By Tracy

A RESOLUTION relative to the commercialization of interstate highway rest areas.

WHEREAS, with many states facing budget deficits, rest areas on interstate highways, which require significant sums to maintain, but provide no revenue to states, are in danger of being closed; several states have closed at least some of their rest areas, and more states are likely to follow suit if state revenues continue to fall; and

WHEREAS, while these rest stop closures are causing negative controversy for state officials, there should be low-cost or no-cost ways to keep them open; one potential solution could yield substantial revenues to the state transportation departments as costly liabilities are transformed into valuable assets; and

WHEREAS, an archaic federal law prohibits states from permitting "automotive service stations or other commercial establishments for serving motor vehicle users to be constructed or located on the rights-of-way" of interstate highways built after 1956; and

WHEREAS, in contrast, the toll-financed, limited access highways built prior to the enactment of the federal highway program in 1956 had already commercialized their rest stops with gas stations and restaurants; when these existing highways were rolled into the interstate system after 1956, their rest areas were grandfathered and, thus, are not subject to the prohibition on commercial operations; and

WHEREAS, in states where the commercialization of rest areas is permitted, the differences are striking; the many consumer benefits are coupled with benefits to the states' taxpayers because the private-sector concessionaires pay rent to the state for the privilege of leasing the space; and

WHEREAS, in Pennsylvania, food concessionaires pay to construct their facilities and then transfer ownership of the buildings to the state in return for lower rent; financially, the contrast is remarkable: Pennsylvania earns \$60 million per year from fuel sales alone, while Virginia had previously planned to “save” \$12 million per year by shutting down eighteen rest areas; and

WHEREAS, with many states facing budgetary crises, now is the time to overturn the federal ban on commercializing interstate highway rest areas; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED SEVENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that this General Assembly hereby memorializes the United States Congress to repeal the federal statute prohibiting commercial operations at rest areas on interstate highways built post-1956 in the interest of providing an enhanced level of service to consumers and ensuring the solvency of state governments.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, and to each member of Tennessee's Congressional delegation.